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EXECUTIVE SECRETARIAT

ROUTING SLIP

TO:		ACTION	INFO	DATE	INITIAL
1	DCI				
2	DDCI		X		
3	EXDIR		X		
4	D/ICS				
5	DDI				
6	DDA		X		
7	DDO		X		
8	DDS&T				
9	Chm/NIC				
10	GC		X		
11	IG				
12	Compt				
13	D/EEO				
14	D/Pers				
15	D/OLL	X			
16	C/PAO				
17	SA/IA				
18	AO/DCI				
19	C/IPD/OIS				
20					
21					
22					
	SUSPENSE	5 March (Date)			

Remarks

Recommendation, please, to DDCI.

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Executive Secretary

27 Feb 84

Date

3637 (10-81)

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Executive Registry
84-1049
OLL #
84-0747

February 17, 1984 Tel. (202) 638-1351

The Honorable John N. McMahon
Deputy Director
Central Intelligence Agency
Washington, D.C. 20505

Dear Mr. McMahon:

It was a pleasure to see you again when we passed at White Flint last Sunday. I regret that upon leaving the Agency in August 1982, I did not have an opportunity to say goodby.

I left the Agency in order to make a transition from Federal service to private practice. That transition is now nearing completion. However, I am currently working full-time as a supervising attorney and clinical law professor with the D.C. Law Students In Court Program, a program which is under the auspices of the five area law schools. The experience gained from the program has facilitated my transition to private practice but it is extremely time demanding, with a net result that I have not been able to increase my non-program or private case load significantly. I have been exploring part-time or contractual positions that would provide a reasonable level of income and further facilitate the transition to private practice.

In exploring part-time arrangements, I discussed with [redacted] in October 1983, the possible need for a comprehensive study on the effects disclosure laws such as the Freedom of Information Act and the Privacy Act have had on U.S. relations with foreign intelligence organizations and sources. [redacted] felt that there was a need for such a study but considered the data for research to be of such a sensitive nature that Agency components as well as other U.S. intelligence agencies might not want to see such data condensed or discussed in a comprehensive research document. Such a document, of course would be highly classified.

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I had all but shelved the idea of such a study as a means of convincing Congress of the need for further legislation to protect intelligence equities or of modification of existing disclosure laws, when I read an account in the Washington Post of your testimony on the very subject of concern to me.

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My proposal is modest. I would like to do such a study for the Agency and/or the Intelligence Community, drawing upon my eight years of working and litigating in the FOIA and Privacy Act areas. Such a study would attempt to show not only the perceptions that foreign governments and individual sources have about the disclosure laws but also actual flaps and their impact on intelligence sharing arrangements. Additionally, a second part of the study would show how the U.S. Executive Branch has under our constitutional system, attempted to protect in judicial and Congressional forums, sensitive information, i.e. intelligence sources and methods from disclosure. The second part could be written in a manner that could be presented to foreign governments as a vindication of the U.S. intelligence community's efforts to protect foreign source information and identies from public or non-authorized disclosure.

I would be glad to discuss my proposal further or provide a research prospectus. I look forward to hearing from you.

Very truly yours,

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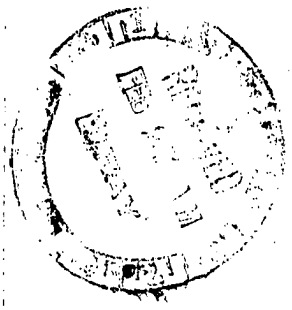
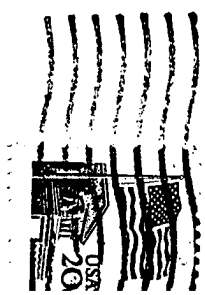
The Honorable John N. McMahon
Deputy Director
Central Intelligence Agency
Washington, D.C. 20905





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